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QUESTION OF THE FALKLAND ISLANDS
(MALVINAS)

SECURITY COUNCIL
Forty-ninth year

Letter dated 23 August 1994 from the Permanent Representative of Argentina to the United Nations addressed to the Secretary-General

I have the honour to transmit to you the text of the protest note, dated 22 August 1994, from the Government of the Argentine Republic, regarding the unilateral measure taken by the United Kingdom of Great Britain and Northern Ireland extending its alleged maritime jurisdiction in the waters adjacent to the Malvinas.

I request that this note and its annex be circulated as an official document of the General Assembly, under item 45 of the provisional agenda of the forty-ninth session of the General Assembly entitled "Question of the Falkland Islands (Malvinas)", and of the Security Council, and drawn to the attention of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples.

(Signed) Emilio J. CARDENAS
Ambassador
Permanent Representative

* A/49/150.

Annex

Text of the note dated 22 August 1994 from the Ministry of Foreign Affairs, International Trade and Worship to the Embassy of the United Kingdom of Great Britain and Northern Ireland

The Ministry of Foreign Affairs, International Trade and Worship presents its compliments to the Embassy of the United Kingdom of Great Britain and Northern Ireland and refers to the unilateral British decision to extend its alleged jurisdiction over the maritime space west of and adjacent to the area described in the annex to the Joint Declaration of 28 November 1990.

The Argentine Government registers its most serious protest and rejection of that measure which involves maritime spaces adjacent to Argentine national territory, and does not accept the attempt to extend the dispute over sovereignty to an undisputed area.

In the maritime space in which the United Kingdom seeks to extend its alleged jurisdiction, the Argentine Republic has exercised, exercises and will continue to exercise sovereign rights, particularly in respect of the administration and control of fishing activities.

The British action implies a departure from the Joint Declaration and the bilateral understandings reached from 1990 until now regarding the south-west Atlantic.

Furthermore, the action of the United Kingdom disregards the General Assembly resolutions which call on the parties to the dispute to find a solution to the dispute regarding sovereignty over the Malvinas, South Georgia and South Sandwich islands by means of negotiations and which call upon the two parties "to refrain from taking decisions that would imply introducing unilateral modifications in the situation" (General Assembly resolution 31/49 of 1976).

The Argentine Government reserves the right to raise the question of the grave situation deriving from the measure adopted by the British Government in the competent international forums, particularly the General Assembly of the United Nations.

Without prejudice thereto, and in exercise of its jurisdiction over the said area, the Argentine Government will continue to administer and exploit the living marine resources in that zone, and to monitor and control the activities carried out therein, for the better conservation of the resources.

Furthermore, the Argentine Government considers that unilateral decisions of this nature interfere with the maintenance and possible deepening of the bilateral understandings on fishing, with negative consequences for the conservation of the living marine resources in the south-west Atlantic.

Consequently, the Argentine Government calls on the British Government to refrain from putting the measure into effect and from any unilateral act in the area in question so as to permit continuation of the fruitful cooperation achieved thus far.